



Quid Novi



Vol. XIII, No. 22

McGILL UNIVERSITY FACULTY OF LAW
UNIVERSITE McGILL FACULTE DE DROITApril 6, 1993
le 6 avril, 1993

A Feminist Response to a Feminist Critique of Skit Nite

Corina Stonebanks
BCL III

As a participant in Skit Nite this year and the past three years, I could not help but feel offended by Myriam Brulot's article in last week's issue of the *Quid Novi* on the imbalanced portrayal of women in Skit Nite.

As a feminist, I was equally disappointed with some of what she had apparently perceived and expressed about the show. Frankly, I bordered on being furious.

But anger is wasted energy, so I invited Myriam and Daniele MacKinnon to discuss our different perspectives on the matter. Here is mine, followed by theirs.

First of all, my strongest reaction to the article came from a feminist perspective. I think that it is important to realise there are many different visions of feminist ideals; it is unfortunate and unfair that feminism is often maligned as a monolithic and inflexible single theory. The three of us agreed on this point; hence, the fruitful discussion.

What bothered me most about Myriam's article was the dismissal of women's sexuality as a powerful and positive quality. Although she wrote: "Hooray to women who feel proud of their bodies, comfortable with their sexualities, and expressive with both", she continued to say that Skit Nite instead characterised this kind of empowerment as "a stereotypical representation of women".

Well, I disagree. When do women assert their sexuality with confidence, and when are they stereotyping themselves into a submissive role? Yes, I may concede that, at times, women may have appeared "decorative" on the stage but, quite frankly, since when is back-up dancing and singing *not* decorative? Furthermore, to emphasise only those roles played by women is to do a typical injustice to women, which is to diminish the important contributions that women made centre-stage (as well as back stage).

I think that we must be weary of criticisms which tend to rob women of their sexual and sensual powers. While I agree that it is difficult to draw the line at where one woman objectifies herself (and all women) and another asserts her own

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FAREWELL EVERYBODY

Maaike de Bie
(Editor-in-Chief)

Well, here it is, the very last *Quid Novi* of the 1992/1993 year. The winter is finally over, unfortunately that also means that exams are just around the corner...

It has been a great year for the *Quid*; we received many contributions by students from all four years. I like to thank everyone for taking the time and effort to express their ideas, opinions and comments; after all this is a student paper and

its success depends on you. And it has definitely been a most successful year: the biggest Valentine's Issue ever (21 pages); most weeks we've had issues of 6 to 8 pages, sometimes even longer; and a total of 22 issues (one more than last year).

I like to make special mention of Joshua who has managed to write an article for every single issue! Congratulations Josh you have made a name for yourself (at least in this faculty) and you have set a record that will be hard to break. Of

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ANNOUNCEMENTS / ANNONCES

THE INTERNATIONAL LAW SOCIETY - yearbook photo will be taken on Wednesday 7 April at 12:45. Please meet at the front desk.(Mme. Allaire).

RESEARCH ASSISTANT WANTED - Professor Patrick Glenn wishes to hire a research assistant for the summer and on a part-time basis for the academic year 1993-1994. The work will be on a number of projects including the sources of law used by courts in common law provinces, the relations between law and language and the concept of provincial common laws. In addition to research there will also be some administrative and clerical duties. Salary according to Faculty

norms. Please contact Professor Patrick Glenn by letter with accompanying résumé and statement of grades. Results as soon as possible

RECEPTION - members of LSA committees, members of all clubs and associations, LSA members & members of the Law Journal are cordially invited to a reception in the Common Room on Friday, April 30, 1993 at 6 pm. The reception, hosted by Dean Morissette, is in recognition of student participation at the Faculty.

FROM THE NEW LSA - EXEC - elections are over, and the new LSA exec would like to

thank all of the students who turned out to vote. We expect things to get off a quick start, and welcome any student input on issues that concern you. Remember, we're your representatives! If you need to speak to someone, don't hesitate to approach Josh, Tania, Tara, Marian, Mario, Rolland or Allyson.

ADVANCED MOOTING PROGRAM - I would be interested to hear your comments on, or suggestions for the improvement of the Faculty's Advanced Mooting program - the role of coaches, the budget guidelines, access to the library, etc. If any of you have anything in particular to say, please let me know. Professor Stevens - Associate Dean (academic).

A quick good-bye and thanks for a brilliant stay at McGill. Feel free to drop in any time for a "real" beer and wallaby stew, we'd love to hear from you.

Heaps of love from the Aussie chicks; Jo, Anna & Mim.

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Hi Everyone!

On behalf of the new LSA Exec, I would like to take the opportunity to thank all of the voters and of course all our numerous supporters. It was a very clean and democratic campaign were no candidate used more than the maximum allowed for budget expenses (1/36 000 of the Conservative Leadership Campaign).

The most popular comment after hearing the election results was: "What a diversified team!" Yes, we agree, and it's going to be one of our major strengths: no click, no discrimination but good work and devotion. What a promising year we have ahead of us.

Notre mandat est quand même de taille. Nous devons reprendre les commandes de cette machine qui a été, admettons-le, très bien dirigée avec Nathalie Goldin en tête. Nous tenons à féliciter tous les membres de l'exécutif pour leur excellent travail et le bon exemple qu'ils nous inspirent. Nous tenons également à leur rappeler de nous laisser leur numéro de téléphone pour les rejoindre en cas de force majeure. (On sait jamais avec Josh !).

Parmi les choses qui figurent sur notre agenda, à part le continuation de nos nobles traditions (lire Skit Nite, comités, voyage à l'O.N.U, ...) notons la mise sur pied du groupe de travail sur la sécurité,

une plus grande accessibilité aux membres de l'Exécutif (dont la démystification de notre bureau et de nos tâches), l'incorporation officielle de l'AED (LSA), et bien d'autres encore.

Our first priority is to make the other male executives (Mario and Roland) grow their hair!

An excellent year is what we strive for and for the time being, best of luck for your finals and have a great summer, see you next fall!

Marian E. Tremblay for the new executive:
(Josh, Mario, Tanya, Tara, Allyson, Roland and Marian).

Quid Novi is published weekly by students at the Faculty of Law of McGill University, 3644 Peel Street, Montreal, H3A 1W9. Production is made possible by support of the Dean's office and by direct funding from the students. Les opinions exprimées sont propres à l'auteur. Toute contribution n'est pas publiée qu'à la discréption du comité de rédaction et doit indiquer l'auteur ou son origine.

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THE PLAIN TRUTH

Joshua Fireman
BCL III
 March 27, 1993.

When it comes to the topic of the man once known as "Rick Jones," everyone seems to have an opinion. At no time in my three years in the faculty of Law has any one man generated so much rumour and emotion. Rick has somehow passed into the stuff of legend; more than a con artist, he has become a *con artiste*. But, who was the real Rick Jones? What did he hope to accomplish within the halls of Chancellor Day?

The answers don't come easily. As with any puzzle, our quest must start at the beginning. Rick Jones, was, in fact, no simple drifter. He was, in reality, a government agent for Project Iota. Jones, or Agent Delta as he is known in espionage circles, was assigned the task decreasing the number of lawyers sprouting up around Quebec. A top-notch field operative, Delta opted to go undercover to discover the root of the problem. His first stop was the Quebec Bar Association.

Delta entered the Bar's sanctum sanctorum by posing as a sanitary engineer. This disguise gave him access to the Bar's inner circle; files and diskettes stuck to his fingers like flies in a web. Delta discovered that the Bar was considering a revamp of its curriculum. This revamp, however, proposed shortening the length of Bar School from six months to three, thereby speeding up the entry of fresh lawyers onto the marketplace.

Agent Delta realized that he had to act quickly. Using his highly advanced knowledge of electronics and computers, he doctored the results of the three-month trial that the Bar had attempted. The new data showed that lawyers were woefully deficient in their knowledge of substantive law. the result? Through subliminal messages left on the Bar's voice-mail system, he convinced key members of the Comité Conjoint that, for the good of the public, both Bar School

and articling periods should be lengthened to a combined twenty months. To this day, the Deans of the province's law schools are attempting to de-programme the members of the Bar who fell under Agent Delta's influence.

And, the Bar wasn't the only place where this master of subterfuge made his presence felt. Even prior to his stint in the Maison du Barreau, he worked as a freelance chauffeur for a high-ranking minister in Quebec's liberal government. While he drove this minister to and from the National Assembly, he made sure to subtly spread his insidious propaganda. "Gilles, Gilles, Gilles", he would mutter, "if you really want a shot at the Premier's seat, then you need a scapegoat upon which the public and externalize its fears and anxieties. You know as well as I do that there is only one segment of the population that is more universally despised than politicians... so sell out the damn lawyers! Its a win-win situation!"

Agent Delta was no fool, however. He knew as well as the next individual that the real power lay far away from the hands of the politicians. The power to prevent the multiplication of lawyers lay in the hands of the *people*. And, the best way to manipulate the people was to manipulate their sources of information. Hence, Delta took on the job of busboy in Grumpy's bar. Once inside Grumpy's, access to the curds of the cream of the Montreal Anglo media was guaranteed. From Nick to Albert to Royal, all the gang could be found there at some point or another. Agent Delta, though, concentrated his efforts on the man who he considered to be the most receptive of the bunch; a *Gazette* city columnist named Jack.

Agent Delta ran into Jack when the "writer" was mouthing off about the uselessness of a major segment of Quebec's society; namely, CEGEP students. It was child's play to convince the "writer" that the spread of law school graduates constituted a much more seri-

ous threat to Montreal culture than 9th semester Dawson students. When Jack began mentioning CEGEP students and lawyers in the same column, Delta knew that, once again, his work was done.

Agent Delta had one stop left; one last nail to drive into the coffin of aspiring lawyers everywhere. He carefully and deliberately set out to destroy the reputation of the province's most respected law school... the McGill Faculty of Law.

It was at this time that Delta took on the identity of Rick Jones. He entered the faculty, claiming to be a transfer student from Dalhousie, and quickly established himself as a friendly man about campus. Unbeknownst to Agent Delta, however, his good nature and honest demeanour made him stick out like a sore thumb in the student body. He was altogether too involved in university life, and far willing to help out students in need. IN a nutshell, he was pegged as a phony from the start.

The problem was that, although Delta was clearly an outsider, his presence was not seen as potentially damaging to the faculty bell curves. Thus, it was months before his presence was signalled to the administration, and this only after a number of library thefts indicated that things were getting out of hand.

Agent Delta departed the Faculty post haste, his job there seemingly done. He had circumvented the admissions process in an attempt to smear egg over the public face of the Faculty. in the end, though, the damage done was limited to a factually incorrect article that appeared in a recent article of the McGill Tribune.

At present, the admissions process has been tightened, and damage control is being exercised within the government and the Bar. The Gazette is another matter. Agent Delta was unable to accomplish his objective of limiting access to the legal profession, and we are now free to dream once more of billable hours and beemers galore.

Maaike My Farewell

Cont'd. from p. 1

course, Brian has made an attempt but he had the disadvantage of starting only in January, and since he is graduating this June, your record is safe as of now.

The publication of a weekly paper like the Quid, requires many hours of work. I wish to thank all the members on the Editorial Board and the Production Team whose weekly invaluable joint efforts made all of this possible.

Apart from publishing each week, we have also been working on some major changes; at the moment we are in the process of buying a new computer, this will enable us to hook up with the Law Faculty's Computer Lab. This means that articles can be submitted to the Quid directly through E-mail, hopefully starting in September. You'll read more about this in the first issue of next year's Quid. This will save us a lot of work. Most of the articles will not have to be retyped (of course people can still hand in their articles hand-written, but given the fact that most of the articles are created on the computer it will just be a matter of sending and retrieving it). Furthermore, it will be possible to produce the Quid at the Faculty as well, which will save a lot of time that can then be spent on the actual editing and lay-out.

I leave the Quid in the hands of Andreas, who is the newly elected Editor-in-Chief, and I'm confident that together with Jay (Artistic Director), Harry (Production and Editing), Nancy (News Director), Josie (News Director), Paul (Editor), David (Production) and Caroline (Administrative Director) they form a terrific team that will certainly do a great job next year. Lastly, I would like to thank the members of the Quid who are leaving; Alexandra, Paul and Marie-France; thanks for all the time and effort that you have spent over the years.

I wish everybody good luck for the upcoming exams and hope that you will enjoy a wonderful summer thereafter. And for all of you who are coming back next year... start thinking about new articles for next year's Quid.

Brett Who?

(Brian Fell)

Brett Code won an award that very few people know about. There was no official ceremony. Why? Because it was me who gave it to him. Yup, I went down to the trophy shop in Phillips Square and got a little plaque and got something like "Unsung Hero" engraved on it. Cost me about \$6.00. But this comment isn't about me. There's been enough of that lately. It's about why I did that.

I was ending my tenure as 1st year class president and had done my duty on the awards committee. Completely overwhelmed by the process, I later realised that I had not made my best argument in favour of Brett winning a participation award. He was unknown to most of the others because, although he participated in a myriad of activities, they weren't events proximal to the LSA council or its subsidiary, the awards committee. Brett was little known because, like me, he was in 1st year and, unlike me, he kept a low profile.

The LSA awards selection process was disheartening, consisting of eliminating one potential candidate after another. It was also thankless. Afterwards, there were complaints about other deserving students who hadn't been recognised. Now, years later, we have just re-lived the experience.

The LSA award process is inherently flawed. The awards committee, made up from LSA council members, is a very small group, non-representative of the many diverse activities in which law students participate. It is only to be expected that year after year, the majority of winners are students well-known to, and usually part of, LSA council. If you doubt, look up past winners in past years' Quid Novi (the periodical section of the Library).

Yes, it is true that anyone can be nominated. However, the publicity of the nomination process varies every year with the motivation of the person responsible for promotion. S/He's got papers due too, right? So the

nominations are an inconsistent, ad hoc procedure, and decisions are made under pressure in a few hours. It often happens that awards committee members ask themselves later "How could we have forgotten so-and-so?", but it's in the nature of the beast. Students unknown to LSA council-types must meet a higher standard of performance just to be promoted, never mind winning. Unless someone writes an exceptional nomination or takes up their cause on the committee, the awards default to LSA council and friends.

Bitch, bitch, bitch, you say. That's all I do. Well, here's my suggestion for improving the process. First we realise that LSA really means "Law Students' Association" and therefore, all law students should have the ability to participate in the selection of award recipients. Selection should take place in the Moot Court, open to all who wish to attend.

In each category (sports, participation, graduation, etc.), a list of candidates will be made up from previously-submitted nominations or those called-out on-the-spot. Arguments of 1 or 2 minutes can be made for/by each candidate. Anyone present can write down and rank in order of preference a number of names equal to the total number of awards available in that category. Ranking gives the names proportional weighting. Example: if there are 6 awards, Rank 1=6 points, R3=4 pts. and R6=1 pt. Am I going too fast? These points are then added and the top point-getters win.

Of course, such a "radical" proposal will surely be opposed by the "experienced" LSA council members as unworkable, unpalatable, unethical, and above all, untraditional. Just like election reform, those who are best served by the present system are adverse to any changes. But hey, don't sweat it Josh, just ignore these criticisms. As always, inertia* will do the rest.

* Webster: The property of matter whereby a body remains at rest or in uniform rectilinear motion unless acted upon by an external force.

A propos, n'est-ce pas?

PROF. BAKER WINS FIRST TEACHING EXCELLENCE AWARD

Alan McConnell
Chair, LSA Teaching Excellence Award Committee.

The LSA is pleased to announce that the winner of the first ever Teaching Excellence Award is Professor Baker. While all those Professors nominated were indeed impressive, the Committee decided Professor Baker was the most deserving of recognition.

The other nominees were Profs. Jukier, Crepeau, H.P. Glenn, Deschamps, Casey, Foster and Tetley. Each professor received highly favourable comments on the evaluation forms distributed in their classes by the members of the Award Committee.

What is it about these Professors that so impressed students? The following, while certainly not the whole story, gives some indication as to why each Professor is so highly regarded. Prof.

Jukier impressed many with her enthusiasm and appreciation of the teacher's role; Prof. Crepeau, "une legende" to some of his students, struck many by his ability to communicate a tremendous wealth of experience and knowledge; the human touch and sense of humour of Prof. Glenn was much appreciated; Prof. Deschamp's willingness to use new teaching methods combined with an obvious concern for students was remarked upon by several students; Prof. Casey, the only full-time practitioner nominated, was highly respected for his commitment to teaching excellence and his students; Prof. Foster impressed many with his clarity and willingness to engage students in discussion on difficult areas of the law; and Prof. Tetley's concern for students matched by his knowledge of the law and ability to motivate impressed many.

What was it about Prof. Baker that impressed both his students and

the Award Committee. Firstly, Professor Baker scored very high on every question on the evaluation form; from his ability to stimulate interest in the course, to his availability outside of class. Student comments were also incredibly favourable. In fact, of the 83 questionnaires returned to the Committee by Professor Baker's students, there was not one single negative comment included. When one considers that the responding students came from every year and both the common and civil law programs, the evaluation is even more remarkable. It was also obvious from the responses that not only is Prof. Baker a highly competent pedagogue, but a well-liked individual who makes a considerable difference at the Faculty of Law.

Congratulations to Prof. Baker who will receive the Award during Spring Convocation. Congratulations also to all of those Professors nominated - keep up the good work!

LSA AWARDS

At the last Coffee house of the 1992-93 year, awards were presented for participation, sports and overall contribution to the faculty (the prestigious LSA awards). Two honorable mentions were supposed to be announced by the presenters but they neglected to do so. The honorable mentions for overall contribution to the faculty of law over four years go out to Catherine Maheu and Brian Fell. Thank you for improving the McGill Faculty of Law.

The Awards Committee.

A Feminist Response...

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by the women of Skit Nite clearly demonstrate the uniquely feminine strengths that women should be free to portray at all times.

What I saw on stage were women proud to show themselves as women. The difference between empowerment and disempowerment does not lay in what you wear, but how you feel about yourself when you wear it. These women clearly showed self-respect: they were proud of their female forms, and proud of the chance to work towards a very worthy charitable cause.

Skit Nite is a chance to show each other that we are multifaceted people. We are not just legal brains and logic, and the occasional sport participant. We are talented, we are funny, we care about things outside of law school; we are attractive, intelligent and dignified women, whatever our particular shape or form. Quite frankly, I think we all know that.

**Daniele MacKinnon
BCL III**

I've always been frustrated by the lack of constructive dialogue about "touchy" issues at this Faculty, so I thank Corina for suggesting this discussion. As she pointed out, the beauty of feminism is that it is diverse and sometimes contradictory. I share Myriam's concerns about Skit Nite, but we both recognise that our perspective is but one of many.

We found it difficult, when asked, to provide examples of what we found were imbalanced portrayals of women at Skit Nite. Standing on its own, no one skit was problematic; my own frustration was simply the general tone of the evening, and I did not mean to offend anyone personally. I think it would be relatively

easy to improve the tone of Skit Nite, for example by casting a few men as back-up singers, or giving the traditional "game-show host" motif a twist.

I agree with Corina that women should not have to hide their sexuality. Feminism should be about being *free* to be a woman in whatever way one *chooses*. I happen to think, though, that in a society that promotes only one ideal of female beauty, "freedom" and "choice" become very relative concepts. I personally find the vision of female sexuality that dominated Skit Nite disempowering. The emphasis on women's bodies plays into stereotypes that stifle women's creativity and individuality. I believe this emphasis is a form of control over us: it finances a multi-million dollar beauty and diet industry, and sucks our energy away from other pursuits.

As I stated at the outset though, this is *my* view, and *my* strategy. I look forward to other discussions, and welcome any comments and criticisms. (I realise that this is the last issue of the Quid, and therefore especially look forward to a candid discussion with our newly out-ed feminist Prez...).

**Myriam Brutot
LLB III**

Corina, Daniele and I got together to discuss our views on feminism generally, and more specifically about Skit Night and my ensuing letter to the Quid. Here's a bit more "whining" (not my title) to elaborate on the conception of feminism which framed my thoughts on Skit Night and to make clear that, contrary to how my letter was understood, my objection was not to women exposing their bodies or expressing their sexuality.

To begin with, I do not have a problem with women being sexually expressive. I do have a problem, though, with the fact

that in our society, a woman's sexual expression is by and large one-dimensional: it lies in what she looks like physically and what she is wearing. My argument is not that a woman should not make use of her body to be sexually expressive; rather, I am saying that her body should be only one of a multiplicity of avenues she can explore to be sexually appealing and appreciated. After all while the human body is no doubt sexually beautiful, so is the way of holding oneself and of approaching others, one's voice, gentleness, assertiveness, intelligence, etc...

Why is it that a man's sex appeal is measured with this kind of multi-faceted yardstick and a woman's is not? If the wrinkled, older and fully-clothed Marlboro man was a wrinkled, older and fully clothed Marlboro woman, we'd be closed to a cigarette-free world.

Skit Night, no doubt unwillingly, fell right into this trap with respect to women's sexual expression and appeal. Not only were women more often than not sexualized, when they were it was in the sense objected to above. With the exception of the "bring him on, girls" Webber skit, I did not object to any particular skit, outfit or way a woman chose to portray herself. I objected to the cumulative effect of all of these, to the general tone of the evening as regards women, precisely because it cumulatively ended up presenting a restrictive and incomplete definition of women and their sexuality.

That wouldn't be a big deal, except that we still live in a society where women are restricted in their self-definition and sexual expression (men too, in different ways). By mirroring on stage the very problem women face off of it, Skit Night perpetuated a stereotype and thereby fell short of being fair to women as a group and as progressive as it could have been.

RESPONSE TO MYRIAM BRULOT'S SKIT NITE ARTICLE

Estelle Richmond, Nat'l IV

Isn't it sad that the "empowerment" of women requires that women be denied the right to act and dress the way they desire, if only to prove that they are, in fact, empowered?

I realize that Ms. Brulot has valid concerns regarding the equality of women. And it goes without saying that the female body often serves a merely "decorative function". **HOWEVER**, the Skit Nite situation is quite different. Hugh Heffner was NOT backstage, shouting "Yo baby, shake those gams so we can sell more tickets". ALL of the performers wrote their own skit and chose their own costumes. The description of their performances as "peripheral", "secondary" and "decorative" has been ex-

tremely hurtful to the persons who put so much effort into their skits, and serves more to belittle their talents than the clothes they chose to wear.

If Ms. Brulot wants to promote equality, why not also insult the topless "Interpretive Dance" display, or Santo's naked legs? Why do we not hear any complaints about them, or about last year's "I'm too sexy" G-string incident? Is it that Ms. Brulot feels that men can never have a "secondary function", or was she too busy staring at Santo's thighs to realize her obvious double standards?

Equality comes in many forms. In my opinion the fact that women are now proud of their bodies and "comfortable with their sexualities" shows tremendous strides for the women's movement. The

only "stereotypical representation" apparent to me is done by Ms. Brulot herself, who seems to think that a style of dress automatically renders talented women "peripheral".

In order to be truly empowered, women must be allowed to make certain choices. This includes the basic choice what to wear. When these choices are condemned, especially by another woman, this serves only to create more inequality.

There was no "imbalanced portrayal of women" at Skit Nite. The only reduction of performers to a "secondary function" was done by Ms. Brulot herself, and for this she owes an apology to the actresses and dancers that she has belittled and insulted.

RESPONSE TO LETTER BY ESTELLE RICHMOND

Myriam Brulot, LLB III

Although I am saddened that some Skit Night participants were offended by my first letter to the Quid, I will not apologize for something I did not do.

My initial letter was not an attack on specific individuals in the event, and I had every right to write what I did.

Ms. Richmond and I obviously have different views on gender equality and different strategies for achieving it. I hope the other letter I have written for this issue of the Quid clarifies my viewpoint. But it does not address a couple of issues specifically raised by Ms. Richmond, so I'd like to respond to these here.

Firstly, while Ms. Richmond acknowledges that women's bodies often serve a decorative purpose in society, she argues that this was not a problem at Skit Night because the women involved participated willingly and made their own choices as to how to portray themselves. It seems anomalous to me that one would

in the very same breath acknowledge that women's bodies are exploited, and on the other insist on one's right to do the same. Ms. Richmond seems to be saying that the objectification of women is problematic when done by men (reference to Hugh Hefner), but not so when it is perpetrated by women. I could not disagree more.

Our being women does not make us immune to being sexist or insensitive to gender issues, either toward men or ourselves. In my mind, it simply isn't enough for Ms. Richmond to say that women chose what they did: If you want to convince me, show me it was a responsible and discriminating choice. You have every right to exercise your capacity to choose, but when you do so in a public forum, I have every right to criticize your choice.

Secondly, Ms. Richmond argues that I betray a double standard in failing to object to the "Interpretive Dance" skit featuring scantily-clad men. Let me ask you this: Say Skit Night had by and large

portrayed Jews as avaricious or Black as criminals, would I be betraying a double standard if my objection to such stereotyping failed to include a couple of skits in which white Christians were similarly portrayed? If I failed to object to the similar portrayal of white Christians, it would be because given their social context that portrayal is simply meaningless, has no impact: It does not perpetuate a stereotype. In the same way that the social realities of Jews, Blacks and Whites are different, so is the social context of men and women different. What perpetuates a stereotype in the one case does not in the other. In making her "double-standard" argument, Ms. Richmond fails to put the Skit Night portrayal of men and women in its social context.

I wish Mr. Richmond had not taken my first letter as a personal affront. After all, there is a world and social issues out there beyond our faculty which might, just might, be the focal point of my criticisms and our discussions.

Comment: "The Choice" by W.B. Yeats

Some people want to be specialists: some want to be generalists. I would let the specialists live their narrow, little lives in peace if they would agree to stop writing essays about things outside of their specialty.

One of the first things I learned at law school was that the Renaissance did not exist. Dick told me. But Dick has a hard sell with me. I like the Renaissance. I admire a time when knowing how to throw a deserved cross-check was not inconsistent with playing saxophone, or being President — a time that realized that a human life is too complex to evaluate on a single scale of usefulness.

*The intellect of man is forced to choose
Perfection of the life or of the work,
And if it take the second must refuse
A heavenly mansion, raging in the dark.*

If you were to build a house, how many of the rooms would you reserve for the Law? I don't think I'd let it get beyond one, myself. It's not that I don't like my work, just that it must be put in perspective. Chancellor Day Hall may seem like a heavenly mansion to some, but to spend a life there would be raging in the dark.

*When all that story's finished, what's the news?
In luck or out the toil has left its mark:
That old perplexity an empty purse,
Or the day's vanity, the night's remorse.*

One's accomplishments are one's only true patrimony. Given this, what does one do with a law degree? There are a few options (even if it sometimes feels predetermined). Law is the alchemy of the modern age: at its best, it gives order and meaning to the complexities of human life; at its worse, it makes gold out of the pain and suffering of others. Find a place to be on that spectrum.

A lawyer is more than a sycophant with an eccentric vocabulary. A lawyer is a professional, and a professional has a duty to serve. Performing this duty is more than a mere exercise of legal technique: it requires an understanding of human nature that goes further than the reasonable man test. Six extra-Faculty credits are only a start.

Christopher Richter, LLB II

Stanley Who?

(Brian Fell)

"Well, I guess I'll have to walk home." That's was my thought when I found my bicycle tires slashed after work one day. Well, the truth is that I didn't think that at all. The bike was in a place to which only my work-mates had access and I was enraged. But the rage really stemmed from a profound hurt. Why me? But I knew why. It was because I was different, or perceived as different. The distinction is irrelevant. The effects are the same.

I had to face the fact that there had been a distinct pattern of similar events in my life. When younger, I thought that I fit in. Then I walked into the dressing room one day to find my skate-blades covered with flakes of green paint. They laid next to a metal container whose green paint exhibited scrape marks. I imagine I didn't skate very well that day, though I can't really remember. Fortunately, the human mind is merciful in deleting many painful memories.

So I thought: OK, I won't try any more. I no longer tried to socialise with my work-mates, thinking that if I left them alone, they'd leave me alone. Wrong. Slashed tires. I thought that riding a bicycle instead of driving a Trans-Am, a 4WD, a motorbike or *any kind of vehicle dammit!* might have been the cause, but my partner set me right. He said that if I didn't at least give the impression that I was part of the gang, I was setting myself up for a lot of hurt.

So I did. Over the next few years I worked on developing a socially acceptable personality. It wasn't easy, I made some mistakes, but all in all, it

seems to have worked. I'm no longer automatically excluded from social circles. I even feel accepted at times. Some people go as far as to tell me that I'm popular.

Of course, I do have a bit of an existential problem. I wonder if I'm the same person I was, or if I've become my fake alter ego.

But I guess that's OK because it's saved me a lot of pain. I'll never forget the bad old days, though, and I cringe when I see it happen to others.

I've seen it around me lately, and it's not a pretty sight. Quite frankly, manifestations of the "pack" mentality worry me because they have the ability to alter reality.

Although we hesitate to pronounce someone "weird" because we fear that our opinion won't be shared, once it's confirmed by the group, we can go hog-wild in character assassination. It isn't long before stories of deviant behaviour become distorted, amplified. But it doesn't matter because the approval of the group confirms the new reality.

Do you feel accused? Hey, don't take offense. It's a human thing. I'm sure I do it myself at times. Perhaps my old self wouldn't, but that's my crisis, not yours.

But don't fool yourself. When you ostracise someone, you're not just artificially enhancing your own worth, you're taking an active part in hurting that person. And believe me, it hurts.

We may not all have the strength of Noam Chomsky, but when you hear his school-yard bully story and realise that it doesn't stop in primary school, ask yourself which side you're on.

FROM THE CREASE

by Véronique Malka
(#20)

You may already know, or will find out soon enough that your fourth year in law school can feel like someone slowly driving a needle through your eyelids. Fortunately, I have been motivated by a different kind of torture: the idea of putting on 60 pounds of sweaty, smelly padding, dashing onto a freezing arena, and having someone smash a rubber projectile at my face at 30 miles an hour.

My few years as goalie for the Public Offenders, one of the faculty's two women hockey teams, have not only helped tune my reflexes, but have also brought me closer to a bunch of people whom I shall miss dearly. I guess you could call this "Ode...of a Goalie."

One of the many pluses of playing nets is that you get to be a player as well as a spectator for the whole game. I guess that as the girls' team captain for three years, I also got to know another side of the players, and got to know by heart their list of excuses for not making a game! Nevertheless, as I hand over the captain's sweater to C. Stonebanks, I want to write about some of the many amazing characters that are locked in my memory.

You could say that our team was cursed in terms of players getting injured; who could forget *Quid* goddess Maaike D. who had to leave us after a season because of her back! Thankfully, forward and assistant-captain H. Mathieu awaited until our last game to pop out hers. More recently, C. Stonebanks deprived us of defensive slashing skills as she turned coach/fan because of a serious knee twister! Of course, shoulder action soon made the list as the girls lost me in nets with one crucial game left in the season.

I guess I owe much of my devotion to the sport to "my Michelin twins", who were our coaches earlier in our career. They not only thought us to skate like hockey players, but made us realize the strength of the hockey spirit.

When faced with continuous losses in our first year, we were reminded that "it is why good teams and good players, good enough to stand alone, stand straighter and more vividly with a good opponent..." (Dryden, *The Game*).

On behalf of all the girls, I also wish to thank our other devoted coaches, Warren Cooney, Ian Spooner, Ari Slakoff and Brian Fell, whom over the years, the girls fought to please and make proud. Wanting to see your coach smile definitely helps you learn how to stickhandle with your head up! Thank you as well to our faithful fans Kiri, Noah and Dave Farrel; we may not be able to fill the Forum, but we are one up in terms of fans!

Among veterans who deserve mention, "born-goon" A. Turner was greatly missed the last two seasons, although I did notice a sudden drop in the number of penalties suffered by the team. I want to apologize to devoted defencewoman S. Steffen for all those times I yelled at her for not "using her body" to stop a breakaway...or for her unforgettable surprise goal that she once snuck in between my pads!

Who could forget the amazing skating action of graduated-wingers S. Abramovich and S. Arpin! They showed us how a hard-working stagiaire releases her tension!

Speaking of aggressive skating, I must admit that I felt no greater relief than when I saw number 7, L. Poirier pick up the puck at centre ice and dash miles ahead of the opponents to slam it into the upper shelf of the net. The girls might as well have stopped skating and taken a seat in order to watch M. Dufresne, G. Woolcombe and Lucie's breakaways! That's not the only reason I feel indebted to Lucie: anyone who likes to wear the pads is a friend of mine! (To Chantal, Tam and Lucie: the girls knew, by the way, about the week-end skating conspiracy that went on...).

Other forwards have astonished me over the years and proven that we could work wonders as a team: A. Rochette, S. Perreault, H. Mathieu and, of course, J. Michelin were blessed with awesome hockey player names and with the determination of learning how to master the art of

passing. I hope to one day see the play where "always-there-for-the-pass" Janet will pop it in!

I have, of course, felt the strongest bond with "my defencewomen" (right M-J?). "Slice" Gillespie's absences were always felt, and left a painful scar after each goal that made it by me. Steady-on-her-skates-Stonebanks soon replaced Turner as the team goon on the defence line: no one was getting through her without tasting some of the ice! S. Bordet, on the other hand, was slightly more tactful as she casually intercepted opponent passes to send the puck back in their own end.

Looking at Slice, Sylvie, and Wayne Gretzky, I have often wondered whether getting married to a devoted fan was the secret behind a booming career...

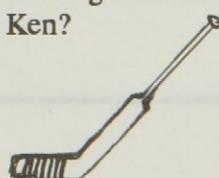
Last but not least, M.-J. Legault's speed-skater skills often got in the way of the ultimate rush which I felt when I saw breakaways develop. I also owe her for those hard taps on the helmet that followed every game.

It is true that breakaways or two/three-on-ones, once my most dreaded nightmares, became somewhat rare over the years so that I came to long them dearly. I remember once, this season, desperately skating to embrace the puck after I had not come near it all game! Too many wonderful plays to enumerate, too many good times to list.

As my McGill goalie career draws to a close, and since my injury will prevent me to play for a while, I can express my feelings best by quoting my hero, Ken Dryden:

I have not enjoyed this year very much, but it has been a necessary year. I work as hard as I ever did, but once I felt joy, now I feel joy mixed with grim desperation. I will not get any better. I must fight to keep what I have.

I may not have been given that private dressing-room in the end, but what I have are the best memories that a law student goaltender can ever have. Right, Ken?



Don't Sing the Blues - Jay!

By Paul Moen, LL.B. III

This short comment is in response to Jay Sinha's article in last week's Quid entitled "Two Deaths, One Message." But Jay before I begin I must thank you for helping me get my car out of the snow drift on April 1st. - thanks!)

Sorry Jay but you should have been little more careful in your casual dismissal of the Canada-U.S. Free Trade Agreement as one of Mulroney's defeats. It is true that Canada did not get all of what it was asking for during the free trade negotiations, namely exemption from U.S. protectionist antidumping and countervailing duty laws, however it is not true that the FTA is not something worth bragging about.

One of the most important parts of the FTA is Chapter 19 which provides for the binational panel review of determinations made by international trade agencies in both Canada and the U.S.. This binational panel review replaces domestic judicial review such that domestic agency action is now subject to the scrutiny of a panel of five (3 Canadians and 2 Americans depending on who is chosen to chair the panel) trade experts; usually lawyers.

While Canada is still subject to a "full range" of U.S. trade law (in fact since the implementation of the FTA Can-

ada has taken many more antidumping actions than the U.S.), the fact is that the U.S. has agreed to have the domestic application of its sacred trade law reviewed by an international body. The decisions of the panel are binding and even if no real change occurs, at the very least, American symbolic surrender of jurisdiction of its federal courts is quite remarkable.

But in fact real change has occurred. Prior to the FTA the administration of American trade law was seen as an immensely political process with the trade agencies having been "captured" by domestic industrial and sectorial interests such that determinations were made in a "knee jerk" type fashion in order to please local constituents. Thus, in addition to having protectionist legislation on the books, the way in which the law was being administered was very biased and exacerbated the barriers to American markets.

While the FTA does not get rid of the American trade law, what it does do is address the problem of "administered protection." Recent decisions by the binational panels have shown that American domestic determinations are becoming increasingly subject to a stricter standard of review. (Under Chapter 19 the standard of judicial review to be applied in determining whether trade

agency applied its law correctly that standard that would have been used by the domestic court of the importing party. So while the Canadian standard of "patently unreasonableness" is quite deferential, the American standard of "substantial evidence" is more strict.)

Because the panels are composed of trade "experts" they are becoming more rigorous in their examination of the trade agency's methodology, reasoning and conclusions. The process is becoming less grounded in unthoughtful responses to sectorial interests and more grounded in "harder" law and economics methodology. Findings of material injury and dumping will be determined upon more objective analysis.

Thus, while not attaining its ultimate goal of exemption from American trade law at least a major dent has been made in the "administered protection machinery" that has been instrumental in ensuring barriers to American markets remain intact. This is a big step toward securing American market access which no other country can brag about.

Anyway Jay, thanks again for helping my car out of the snow and why I hope that the only place I see you crying the blues is at Bar G# (or the Sky-Dome), I better not see you drinking any of that American beer made cheaper by free trade!